

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**COY PHELPS,**

**Case No. 3:12-cv-344**

**Plaintiff,**

**-v-**

**Judge Thomas M. Rose  
Chief Magistrate Judge Sharon L. Ovington**

**RION MACCONNELL, et al.,**

**Defendants.**

---

**ENTRY AND ORDER OVERRULING PHELPS' OBJECTIONS (Doc. #23)  
TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATIONS; ADOPTING THE CHIEF MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #22) IN ITS  
ENTIRETY; DENYING PHELPS' MOTION FOR TEMPORARY  
INJUNCTION ORDER (Doc. #2); DENYING PHELPS' MOTION FOR  
REPLEVIN ORDER (Doc. #3) AND DENYING PHELPS' MOTION  
UNDER PROMISSORY ESTOPPEL DOCTRINE TO COMPEL THE  
DEFENDANTS TO PROVIDE PROMISED SERVICES (Doc. #4)**

---

Pro Se Plaintiff Coy Phelps ("Phelps") brought this action against Defendants Rion MacConnell, Heather F. Green and U.S. Mint Green, Ltd., to recover damages for various alleged wrongs. On the same day as he filed this lawsuit, Phelps filed three (3) motions: a Motion for Temporary Restraining Order (doc. #2); a Motion for Replevin (doc. #3); and a Motion Under Promissory Estoppel Doctrine To Compel the Defendants To Provide Promised Services (doc. #4).

On August 6, 2013, Chief Magistrate Judge Sharon L. Ovington issued a Report and Recommendations recommending that all three (3) of Phelps' pending Motions be denied. Phelps subsequently objected to the Chief Magistrate Judge's Report and Recommendations. (Doc. #23.) The time has run and no Defendant has responded to Phelps' Objections. This matter

is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Phelps' Objections to the Chief Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Chief Magistrate Judge's Report and Recommendations is adopted in its entirety.

Phelps' Motion for Temporary Injunction Order (doc. #2) is DENIED. Phelps' Motion for Replevin Order (doc. #3) is DENIED. Finally, Phelps' Motion Under Promissory Estoppel Doctrine To Compel the Defendants To Provide Promised Services (doc. #4) is DENIED.

**DONE** and **ORDERED** in Dayton, Ohio, this 9<sup>th</sup> day of September, 2013.

**s/Thomas M. Rose**

---

THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Coy Phelps at his last address of record